

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
Case No. 7:23-cv-897

IN RE:)	
)	
CAMP LEJEUNE WATER LITIGATION)	SUPERSEDING PROPOSED PRETRIAL
)	SCHEDULING ORDER FOR CERTAIN
This Document Relates To:)	TRACK 1 TRIAL ISSUES
ALL CASES)	
)	

The Court hereby enters the following pretrial schedule to govern Track 1 trials in the Camp Lejeune Water Litigation.

1) Pursuant to the Order entered on July 9, 2024 (D.E. 250), discovery related to the Track 1 Trial Plaintiffs closes on August 11, 2024.

I. Water Contamination Experts

2) The Plaintiffs' Leadership Group ("PLG") will disclose its experts relating to the toxic-chemical exposure from the water on Camp Lejeune (the "Water Contamination") within 75 days after the close of fact discovery, that is, no later than October 1, 2024.

3) Defendant will disclose its Water Contamination experts within 30 days after the PLG discloses its Water Contamination experts.

4) The PLG will disclose its rebuttal Water Contamination experts within 10 days after Defendant discloses its Water Contamination experts.

5) The Parties will then have 30 days to complete expert discovery relating to Water Contamination.

6) Following the close of expert discovery relating to Water Contamination, the Parties will have up to 15 days to serve motions to exclude any experts ("*Daubert* motions") and motions for summary judgment relating to Water Contamination.

7) Once a *Daubert* motion is filed by one Party, the other Party will have 21 days to file an opposition to that motion.

8) Once an opposition is filed by one Party, the other Party will have 7 days to file a reply to that opposition.

II. General Causation Experts

9) The PLG will disclose its experts relating to general causation within 100 days after the close of fact discovery, that is, no later than November 19, 2024.

10) Defendant will disclose its general causation experts within 30 days after the PLG discloses its general causation experts.

11) The PLG will disclose its rebuttal general causation experts within 10 days after Defendant discloses its general causation experts.

12) The Parties will then have 30 days to complete expert discovery relating to general causation.

13) Following the close of expert discovery relating to general causation, the Parties will have up to 15 days to serve *Daubert* motions and motions for summary judgment relating to general causation.

14) Once a *Daubert* motion is filed by one Party, the other Party will have 21 days to file an opposition to that motion.

15) Once an opposition is filed by one Party, the other Party will have 7 days to file a reply to that opposition.

III. Specific Causation and Damages Experts

16) The PLG will disclose its experts relating to specific causation and damages within 100 days after the close of fact discovery, that is, no later than November 19, 2024. The PLG may

stagger its disclosures so that all specific causation and damages experts relating to a given Track 1 Trial Plaintiff are disclosed at any time on or before November 19, 2024.

17) Defendant will disclose its specific causation and damages experts relating to a given Track 1 Trial Plaintiff within 30 days after the PLG discloses its specific causation and damages experts for that Plaintiff and the PLG notifies Defendant that all experts for that Plaintiff have been disclosed.

18) The PLG will disclose its rebuttal experts relating to specific causation and damages for a given Plaintiff within 10 days after Defendant discloses its experts relating to specific causation and damages for that Plaintiff and Defendant notifies the PLG that all experts for that Plaintiff have been disclosed.

19) The Parties will have 30 days to complete expert discovery relating to specific causation and damages for a given Plaintiff after the PLG notifies Defendant that all experts for that Plaintiff have been disclosed.

20) Following the close of expert discovery relating to specific causation and damages for a given Plaintiff, the Parties will have up to 15 days to serve *Daubert* motions and motions for summary judgment relating to specific causation and damages for that Plaintiff.

21) Once a *Daubert* motion is filed by one Party, the other Party will have 21 days to file an opposition to that motion.

22) Once an opposition is filed by one Party, the other Party will have 7 days to file a reply to that opposition.

IV. General

23) The parties will disclose expert reliance files within 7 days of the initial expert disclosure for that expert.

24) Expert witness depositions will be limited to 7 hours per expert for these phases absent agreement of the Parties or Court order for good cause.

25) Each Party will pay for the time that the opposing Party's expert spends under oath in deposition, at the same rate paid by the Party that retained the expert; otherwise, the Parties are responsible for the fees of the experts they retain.

SO ORDERED. This _____ day of _____, 2024.

RICHARD E. MYERS II
Chief United States District Judge

TERRENCE W. BOYLE
United States District Judge

LOUISE W. FLANAGAN
United States District Judge

JAMES C. DEVER III
United States District Judge